

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**EDUARDO AVALOS LUNA,**

**Defendant.**

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**8:96CR154**

**JUDGMENT**

In accordance with the Memorandum and Order issued on this date:

IT IS ORDERED:

1. The Defendant's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Filing No. 134) is denied;
2. The Defendant's Motion to preserve a Booker claim (Filing No. 133) is denied; and
3. The Clerk is directed to mail a copy of this Judgment to the defendant at his last known address.

DATED this 14<sup>th</sup> day of March, 2006.

BY THE COURT:

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
United States District Judge